

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

ANDREW CHIEN,
pro se Plaintiff,

v.

DIANA GRIBBON MOTZ, *et al.*,
Defendants.

Civil No. 3:18-cv-106 (MHL)

SUPPLEMENTAL REPORT AND RECOMMENDATION

This matter comes before the Court for a Supplemental Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) on Plaintiff Andrew Chien's ("Plaintiff") January 10, 2019 "Motion to Public [sic] the Letter from the Defendants" ("Motion to Publish") (ECF No. 29), moving this Court to publish the letter referred to on page eleven¹ of the undersigned's Report and Recommendation (ECF No. 28). The letter referred to on page eleven of the Report and Recommendation relates to the apology that Plaintiff requests in Paragraph 44 of his Complaint (ECF No. 1). Although Plaintiff did not make a verbatim request for a letter in his Complaint, the undersigned construed Plaintiff's request for an apology from Defendants as a request for an apology in the form of a letter, as a letter would best memorialize Plaintiff's desired relief. Because Plaintiff misunderstood the Report and Recommendation and there is no letter from Defendants for the Court to publish, the undersigned recommends that the Court deny Plaintiff's Motion to Publish (ECF No. 29).

Let the Clerk forward a copy of this Supplemental Report and Recommendation to *pro se*

¹ Although not mentioned by Plaintiff in his Motion to Publish, the undersigned refers to the same letter on page fifteen of the Report and Recommendation and the reasoning in this Supplemental Report and Recommendation applies to that reference as well.

Plaintiff at his address of record, all counsel of record and to United States District Judge M. Hannah Lauck.

NOTICE TO PARTIES

Failure to file written objections to the proposed findings, conclusions and recommendations of the Magistrate Judge contained in the foregoing report within fourteen (14) days after being served with a copy of this report may result in the waiver of any right to a de novo review of the determinations contained in the report and such failure shall bar you from attacking on appeal the findings and conclusions accepted and adopted by the District Judge except upon grounds of plain error.

/s/ 

David J. Novak
United States Magistrate Judge

Richmond, Virginia
Date: January 11, 2019.